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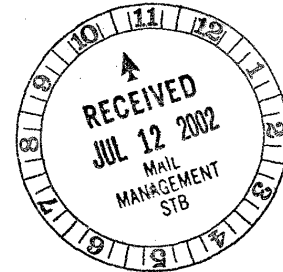
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THOMAS F. McFARLAND

July 11, 2002

By UPS overnight mail

Vernon A. Williams, Secretary  
Surface Transportation Board  
Case Control Unit, Suite 713  
1925 K Street, N.W.  
Washington, DC 20423-0001



205829

Re: STB Docket No. AB-55 (Sub-No. 588X), *CSX Transportation, Inc. -- Abandonment Exemption -- in Polk and McMinn Counties, TN*

Dear Mr. Williams:

Southeast Local Development Corporation (SLDC) hereby requests that it be substituted for Polk County, Tennessee as the interim trail user under the Notice of Interim Trail Use (NITU) issued with the Board's decision in the above proceeding, served April 24, 2002.

Attached to this request is a Statement of Willingness to Assume Financial Responsibility for the Right-of-Way that has been executed in behalf of SLDC.

I am authorized by Polk County, Tennessee to state to the Board that Polk County agrees to the requested substitution.

I am authorized by CSX Transportation, Inc. (CSXT) through its counsel Natalie Rosenberg (904-259-1253), to state that CSXT agrees to negotiate with SLDC for railbanking and interim trail use of the subject right-of-way. In fact, SLDC and CSXT have reached an agreement for such railbanking and interim trail use.

Ten copies accompany the original of this request. All parties are being served.

Very truly yours,

ENTERED  
Office of Proceedings

JUL 12 2002

Part of  
Public Record

*Tom McFarland*

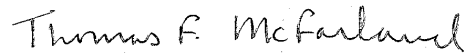
Thomas F. McFarland  
Attorney for Southeast Local  
Development Corporation

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cc: All parties of record

**Statement of Willingness To Assume Financial Responsibility**

In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29, Southeast Local Development Corporation (SLDC) is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by CSX Transportation, Inc. (CSXT) and operated by CSXT. The property, known as the Etowah-Copperhill rail line extends from railroad milepost OKX 339.00 near Etowah, Tennessee to railroad milepost OKX 382.47 near Copperhill, Tennessee, a distance of 43.47-miles in Polk and McMinn Counties, TN. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-55 (Sub-No. 588X). A map of the property depicting the right-of-way is attached. SLDC acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad on the same date it is being served on the Board.



Thomas F. McFarland  
*Attorney for Southeast Local  
Development Corporation*

